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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 ROBERT E. NIX,

No. C 08-2757 SI

9 Plaintiff,

**JUDGMENT**

10 v.

11 AL FERRANDO and UNITED STATES OF  
12 AMERICA,

13 Defendants.  
14 \_\_\_\_\_/

15 Defendants' motion to dismiss this case for failure to exhaust administrative remedies is granted,  
16 without prejudice to plaintiff's filing an action after receiving a final administrative order. Judgment  
17 is entered in favor of defendants accordingly.

18 **IT IS SO ORDERED AND ADJUDGED.**  
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20 Dated: December 29, 2008  
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22 SUSAN ILLSTON  
23 United States District Judge  
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